

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IVAN D. CARRASCO and
RAUL CARRASCO,
Plaintiffs,

v.

CIVIL ACTION NO. 1:03-CV-12485-GAO

THE RACK, INC. and
SEAN GANNON,
Defendants.

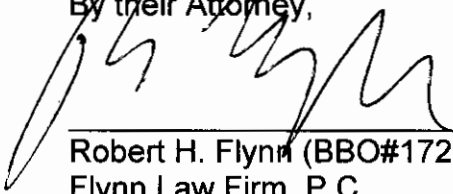
PLAINTIFF IVAN D. CARRASCO'S MOTION IN LIMINE

Plaintiff Ivan D. Carrasco hereby moves *in limine* that the Court prohibit use of Plaintiff's criminal record and states as grounds as follows:

The criminal charges resulting in convictions are being offered unfairly in violation of Fed. R. Evid. 608(b) and 404(b). The intent is to demonstrate a pattern of familiarity or comfort with pugilistic activities. These convictions are not probative of the Plaintiff's character for truthfulness or untruthfulness and do not involve dishonesty or false statements. The convictions should not be admitted if the Court determines that the prejudicial effect substantially outweighs the probative value. There is little probative value on credibility, given these charges, and there is obviously substantial prejudice, given the nature of the charges in light of the incident that leads to the case presently before the Court.

WHEREFORE, Plaintiff Ivan D. Carrasco's record of criminal convictions should be excluded from evidence at trial in this matter.

Respectfully submitted,
Plaintiffs, Ivan D. Carrasco
and Raul Carrasco
By their Attorney,

A handwritten signature in black ink, appearing to read 'R. H. Flynn', is written over a horizontal line.

Robert H. Flynn (BBO#172900)
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Wellesley, MA 02841
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Dated: September 16, 2005

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